

ARKANSAS SUPREME COURT

No. CR 06-1384

HENRY JAY BUNCH
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered March 8, 2007

PRO SE MOTION TO CORRECT
RECORD AND FOR
RECONSIDERATION OF PRIOR
MOTIONS [CIRCUIT COURT OF
WASHINGTON COUNTY, CR 2004-
2659, HON. WILLIAM A. STOREY,
JUDGE]

MOTION GRANTED IN PART AND
DENIED IN PART.

PER CURIAM

Appellant Henry Jay Bunch was found guilty of aggravated robbery, three counts of attempted capital murder, felon in possession of a firearm, theft by receiving, possession of methamphetamine, possession of pseudoephedrine with intent to manufacture methamphetamine, and simultaneous possession of drugs and a firearm. He was sentenced to an aggregate term of 1,140 months' imprisonment in the Arkansas Department of Correction. The Arkansas Court of Appeals affirmed the judgment with the modification that the aggravated-robbery charge be merged into one of the attempted-capital-murder charges. *Bunch v. State*, 94 Ark. App. 247, ___ S.W.3d ___ (2006). Subsequently, appellant timely filed in the trial court a *pro se* petition for postconviction relief under Ark. R. Crim. P. 37.1, which was denied. The record has been lodged in this court on appeal of that order and appellant's brief is due on March 13, 2007.

Appellant, proceeding pro se, previously filed motions for extension of time to file the brief,

for access to the trial transcript and record on this appeal, for appointment of counsel and a petition for writ of certiorari. The motions for extension of time and access were granted, the motion for appointment of counsel denied, and the writ of certiorari rendered moot because the remainder of the record had been received by this court. *Bunch v. State*, CR 06-1384 (Ark. Jan. 25, 2007) (per curiam).

Now before us is appellant's pro se motion to correct record and for reconsideration of prior motions. In his motion, appellant indicates that one page from the trial transcript, page 176 of that record, was missing from the copy he received. He requests reconsideration of our previous grant of an extension of time and the denial of his motion for appointment of counsel.

As appellant may require the missing information in order to prepare his brief, we instruct our staff to provide him a copy of page 176 along with a copy of this opinion. We also grant appellant's request for a further extension of time in which to file his brief, although not for the thirty days that he requests. Appellant's brief is due no later than fourteen days following the date of this opinion. As we directed in our previous opinion, the copy of the record provided to appellant must be returned upon submission of the brief.

As to appellant's request that we reconsider our previous decision not to appoint counsel, appellant contends that proceeding pro se will present a hardship to him, but he even yet does not address the merits of his appeal. As we already stated, appellant is required to make a substantial showing that he is entitled to relief. Appellant has provided no basis to reconsider our previous holding, and we decline to do so.

Granted in part and denied in part.